

Minutes of the
Board of Minerals and Environment Meeting
Milbank Visitors Center
1001 East 4th Avenue
Milbank, SD

July 16-17, 2008

JULY 16, 2008 – 1:00 P.M. CDT

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chairman Richard C. Sweetman. The roll was called and a quorum was present.

BOARD MEMBERS PRESENT: Richard Sweetman, Lee McCahren, Linda Hilde, Dennis Landguth, Bob Duxbury, Chuck Monson, and Glenn Blumhardt.

BOARD MEMBERS ABSENT: Mike DeMersseman and Pete Bullene.

OTHERS PRESENT: See attached attendance sheet.

APPROVAL OF MINUTES FROM MAY 15, 2008, MEETING: Motion by McCahren, seconded by Landguth, to approve the minutes from the May 15, 2008, Board of Minerals and Environment meeting, as mailed. Motion carried.

MINING ISSUES: The board was presented with the matrix sheet listing the DENR recommendations for transfers of liability, transfer of liability and release of surety, releases of liability and surety, and releases of liability.

Motion by Hilde, seconded by Duxbury, to accept the DENR recommendations as shown on the matrix sheet (see attachment). Motion carried.

PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED REVISION TO CHAPTER 74:10:03:16: Chairman Sweetman opened the hearing at 1:10 p.m. CDT.

The purpose of the hearing was to consider an amendment to ARSD 74:10:03:16.

The Board held a public hearing on and approved a similar change to this rule on May 15, 2008. However, the legislature's Interim Rules Review Committee asked that the rule be rewritten as now proposed.

Fred Steece, DENR Oil and Gas Supervisor, presented the following proposed revision to the rule.

74:10:03:16. Procedures for setting surface casing and production casing. The procedure for setting surface and production casing must meet the following conditions:

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(1) The surface hole must be drilled with fresh water. Surface casing must be set to protect freshwater resources as determined by the secretary. Cement must be used in the annulus to circulate to the surface. ~~No Unless otherwise waived by the secretary, no less than 100 feet of surface casing may be set under any circumstances; and~~

(2) Freshwater resources not presently utilized must be protected by production casing and cement. Cementing in stages, if necessary, must be done for the purpose of sealing or separating aquifers with cement that circulates in the annulus.

The secretary shall prescribe variations in the casing and cementing procedures from area to area. The operator shall file a cement bond log within 60 days after completion of a well.

Adoption of the revised rule would allow the Secretary of the Department of Environment and Natural Resources to waive the minimum amount of surface casing required for new oil and gas wells. The current rule requires a minimum of 100 feet of surface casing to be set in all oil and gas wells. Surface casing is a length of pipe installed and cemented in a well to protect shallow aquifers. Recent exploratory efforts in the state for shallow gas indicate gas may be located at depths of less than 100 feet. Requiring 100 feet of surface casing in that case would interfere with the development of the gas. There are also areas of the state where the geology does not warrant the installation of 100 feet of surface casing. The proposed rule revision would allow the Secretary to waive the minimum 100 feet of surface casing requirement so shallow gas can be developed or in cases where the geology does not warrant 100 feet of surface casing.

The reason for adopting the proposed rule revision is to provide the flexibility needed to protect shallow ground water resources while encouraging oil and gas exploration, production and development in South Dakota in accordance with South Dakota Codified Laws 45-9-1.

Mr. Steece stated that notice of the public hearing was published in the Edgemont Herald Tribune on June 18, 2008, the Black Hills Pioneer and Nation's Center News on June 19, 2008, and the Sioux Falls Argus Leader, Rapid City Journal, and Pierre Capital Journal on June 20, 2008. Affidavits of Publication are on file at the DENR Rapid City Office.

Notice of the hearing was mailed to the oil and gas interested parties mailing list. The proposed revision was also posted on DENR's website.

The Legislative Research Council reviewed and approved the rule for style and form.

Chairman Sweetman requested public comments on the proposed amendment. Curt Johnson, BioRockGas Exploration LLC, Watertown, SD, provided comments in favor of the proposed revision.

Written comments from Curtis Red Fox, state prison, and George Shurr, GeoShurr Resources, LLC, were received prior to the hearing.

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Chairman Sweetman requested board action.

Motion by McCahren, seconded by Duxbury, to adopt the amendment to 74:10:03:16, as presented. Motion carried.

Chairman Sweetman closed the hearing at 1:30 p.m.

OIL AND GAS CASE NOS. 15-2008 and 16-2008, LUFF EXPLORATION COMPANY:

Chairman Sweetman appointed Dennis Landguth as hearing chairman. Mr. Landguth opened the hearing.

John Morrison, attorney from Bismarck, ND, and Brett Koenecke, attorney from Pierre, SD, represented Luff Exploration Company.

Roxanne Giedd, Deputy Attorney General, Pierre, SD, represented the Department of Environment and Natural Resources. She had no objection to combining the cases.

The cases were combined into one hearing.

Case No. 15-2008 is the application of Luff Exploration Company for an order approving the operation of a portion of the State Line Field consisting of all of Sections 19 and 20, the W/2 of Section 28, the N/2 and SE/4 of Section 29, and the N/2 of Section 30, all in Township 23 North, Range 5 East, Harding County, South Dakota, to be known as the South Dakota State Line Red River Unit; approving the unit agreement and unit operating agreement for the unit; designating Luff Exploration Company as the unit operator.

Case No. 16-2008 is the application of Luff Exploration Company to amend the applicable orders for the East Harding Springs and Pete's Creek fields to include all of the lands in the East Harding Springs Red River Unit pursuant to Order No. 2-2003 within the East Harding Springs Field, effective as of the effective date of the unit agreement.

Richard George, manager of engineering, was administered the oath and testified on behalf of Luff Exploration Company.

Exhibits offered and admitted into the record for Luff Exploration Company for Case No. 15-2008:

Exhibit 1-1 – General locator map.

Exhibit 1-2 – Map showing proposed South Dakota State Line Red River Unit

Exhibit 2-1 – Map showing tracts 1a, 1b, 2, 3a, 3b, 4 and 5

Exhibit 2-2 – Luff internal participants

Exhibit 2-3 – Cost-bearing interests for Phase I and Phase II

Exhibit 3-1 – Spacing units versus proposed tracts

Exhibit 3-2 – Development history/summary of completions

Exhibit 4-1 – Monthly oil production curve, Njos 1-19 State Line, water cut 62%

Exhibit 4-2 – Monthly oil production curve, Njos J-19H horizontal B State Line, water cut 72%

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Exhibit 4-3 – Monthly oil production curve, Ferkingsstad 33-20-B vertical State Line, water cut 10%

Exhibit 4-4 – Monthly oil production curve, Ferkingsstad 33-20 and Janvrin A-29H State Line, water cut 10% for 33-20 and 33% for A-29H

Exhibit 4-5 – Monthly oil production curve and monthly water production curve, Janvrin L-28H horizontal B state line, water cut 67%

Exhibit 4-6 – Type curve projection

Exhibit 4-7 – Comparison of primary recovery EUR values

Exhibit 4-8 – Remaining primary recover reserves and resulting primary recover EUR's summary by well

Exhibit 4-9 – Remaining primary recovery reserves summary by tract

Exhibit 4-10 – Primary recover EUR summary by tract

Exhibit 4-11 – Current rate – summary by well

Exhibit 4-12 – Current rate – allocated to tracts

Exhibit 5-1 – Stratigraphic interval, Njos 1-19

Exhibit 5-2 – Porosity log and dual laterolog, Ferkingsstad 33-20

Exhibit 5-3 – Janvrin A-29H density and porosity logs

Exhibit 5-4 – Janvrin L-28H density and porosity logs

Exhibit 5-5 – Summary of log analysis in greater State Line area

Exhibit 6-1 – Red River seismic time map

Exhibit 6-2 – Red River seismic time residual map

Exhibit 6-3 – Oil cut data map

Exhibit 6-4 – Oil cut vs. Red River seismic time residual

Exhibit 6-5 – Oil volume calculations by tract and So contour range

Exhibit 7-1 – Horizontal trajectories

Exhibit 7-2 – Cartesian plot – daily production, 5-day trailing average values

Exhibit 7-3 – East Harding Springs Red River Unit showing horizontal producer and injector wells

Exhibit 7-4 – EHSRRU F-6H compared with Ferkingsstad 33-20, daily oil production curve

Exhibit 8-1 – Reservoir simulation output map

Exhibit 8-2 – Reservoir simulation output composite oil rate with time for primary depletion case

Exhibit 8-3 – Reservoir simulation output map

Exhibit 8-4 – Reservoir simulation output composite oil rate with time for WF-2 water flood case

Exhibit 8-5 – Reservoir simulation output map

Exhibit 8-6 – Reservoir simulation output composite oil rate with time for WF-1 water flood case

Exhibit 9-1 – Proposed State Line Red River Unit WF pattern 1

Exhibit 9-2 – Mark Sippel reservoir model projections

Exhibit 9-3 – General assumption for incremental economics

Exhibit 9-4 – Estimated capital expenditures Case WF Pattern 1

Exhibit 9-5 – Estimated monthly lease operating expenses Case WF Pattern 1

Exhibit 9-6 – Water flood Case WF Pattern 1 from reservoir model minus the Base Case

Exhibit 10-1 – Proposed formula

Exhibit 11-1 – Unit Agreement and unit operating agreement

Exhibit 11-2 – Owner approvals by execution of ratification and joinder

Exhibit offered and admitted into the record for Luff Exploration Company for Case No. 16-2008:

Exhibit 1 – Outline of East Harding Springs Red River Unit

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Ms. Giedd offered DENR Exhibit A, a map of areas in Harding County affected by the July 16, 2008, Board of Minerals and Environment oil and gas hearings. The exhibit was accepted into the record.

Fred Steece was administered the oath by Mr. McCahren and testified on behalf of the Department of Environment and Natural Resources regarding Case Nos. 15-2008 and 16-2008.

Notice of the hearings were published twice on or before June 11, 2008, in the Black Hills Pioneer, the Pierre Capital Journal, the Rapid City Journal, and the Nation's Center News. Affidavits of Publication are on file at the Department of Environment and Natural Resources office in Rapid City.

The department received no petitions to intervene in either case.

Motion by McCahren, seconded by Blumhardt, to approve Case No. 15-2008, Luff Exploration Company, to adopt the Findings of Fact and Conclusions of Law, and to authorize Dennis Landguth to execute the Order. Motion carried.

Motion by McCahren, seconded by Blumhardt, to approve Case No. 16-2008, Luff Exploration Company, adopt the Findings of Fact and Conclusions of Law, and to authorize Dennis Landguth to execute the Order. Motion carried.

Mr. Landguth declared the hearing closed.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER IN THE MATTER OF OIL AND GAS CASE NO. 11-2008, CONTINENTAL RESOURCES: The board approved Oil and Gas Case No. 11-2008 at its May 15, 2008, meeting. At that time, Mr. Bender stated that as a result of discussions with Ms. Giedd, it was agreed that it may be helpful to other operators in South Dakota if the Orders that have been previously issued by the board were consolidated into one Order issued by the board. Mr. Bender prepared the draft Findings of Fact, Conclusions of Law, and Order and submitted them to Ms. Giedd for review.

Ms. Giedd noted that she had no objections to Mr. Bender's proposed Findings of Fact, Conclusions of Law, and Order.

Motion by Blumhardt, seconded by Landguth, to adopt the Findings of Fact and Conclusions of Law and to authorize Linda Hilde to execute the Order for Oil and Gas Case No. 11-2008, Continental Resources. Motion carried.

TOUR OF BIG STONE POWER PLANT: The board members and parties to the contested case hearing in the matter of the air quality permits for Otter Tail Power Company toured the Big Stone Power Plant.

Chairman Sweetman declared the meeting in recess until the following day.

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JULY 17, 2008, 9:00 A.M. CDT

A court reporter was present for the public comments and motions hearing in the matter of the Air Quality Permits for Otter Tail Power Company and a transcript may be obtained by contacting Tammy Erickson, Erickson Court Reporting, 105 Birch Street, Langford, SD 57454, telephone number 605-493-6524.

The hearing was also digitally recorded and a copy of the recording may be obtained by contacting the Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, SD 57501; telephone number 605-773-3886.

PUBLIC COMMENTS IN THE MATTER OF THE AIR QUALITY PERMITS FOR OTTER TAIL POWER COMPANY: Hearing Chairman Lee McCahren requested public comments. He noted that the contested case hearing regarding this matter would take place August 18, 2008, in Pierre.

The following offered comments in favor of the application:

Ardell Nelson, Milbank, SD
Steve Lehner, Watertown, SD
Corrine McCullock, Milbank, SD
Larry Roggenbouck, Big Stone City, SD
Blair Johnson, Ortonville, MN
Kathy Tyler, Big Stone City, SD
Mayor Deb Wiik, Big Stone City, SD
John Vanlith, Milbank, SD
Kevin Nelson, Brookings, SD
Jason Lutz on behalf of Sen. Thune, Aberdeen, SD
Laura Foss, Milbank, SD
Scott Hoeke, Milbank, SD
Mark Leddy, Milbank, SD
Roger Bird, Milbank, SD
Mike Rausch, Big Stone City, SD
Rep. Val Rausch, Big Stone City, SD
Paul Deummann, Summit, SD
Sen. Jim Peterson, Revillo, SD
Earl Lundein, Big Stone City, SD

The following offered comments in opposition of the application:

Richard Unger, Montevideo, MN
Baird Miltich, Pelican Rapids, MN
Mike Unger, Montevideo, MN
Patrick Moore, Montevideo, MN
Mary Jo Stueve, Graceville, MN/Sioux Falls, SD
Emma Kuatum, Beardsley, MN
Steve Jackson, Agency Village, SD

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PREHEARING CONFERENCE AND MOTIONS HEARING IN THE MATTER OF THE AIR
QUALITY PERMITS FOR OTTER TAIL POWER COMPANY: See the transcript of these
proceedings.

ELECTION OF OFFICERS: Motion by Monson, seconded by Landguth, that the current slate of officers remain for another year: Dick Sweetman, Chairman; Lee McCahren, Vice Chairman; and Linda Hilde, Secretary. Motion carried.

ADJOURNMENT: Chairman Sweetman declared the meeting adjourned.

Robert Duxbury 9-18-08
Secretary Pro Tem Date

JL Abeln 9-18-08
Witness Date

South Dakota Board of Minerals & Environment

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<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
<u>Transfer of Liability and Release of Surety:</u>						
Tveidt Quarry Sturgis, SD	05-823		\$500	42475	Sundance State Bank, Sundance, WY	Transfer liability and release \$500.
Transfer to:						
Pete Lien & Sons, Inc. Rapid City, SD	83-100		\$20,000	ILOC #5554544	La Salle Bank, Chicago, IL	
<u>Transfers of Liability:</u>						
Aggregate Construction, Inc. Minot, ND	89-382		\$20,000	5301306	Ohio Farmers Insurance Company	Transfer liability.
Transfer to:						
Pete Lien & Sons, Inc. Rapid City, SD	00-712		\$9,000	ILOC #5554556	La Salle Bank, Chicago, IL	
Don Kriech Waubay, SD	97-607		\$20,000	7900600682	Nationwide Mutual Insurance Company	Transfer liability.
Transfer to:						
Weatherton Contracting Co., Inc. Beresford, SD	88-364		\$20,000	1415151847	Continental Casualty Company	

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Transfers of Liability:						
Myrl & Roy's Paving, Inc. Sioux Falls, SD	83-95		\$20,000	0 40 44 34	Great American Insurance Company	Transfer liability.
Transfer to:						
Albert Yager Madison, SD	92-459		\$20,000	41010002201	Great Western Bank, Madison	
Butte County Highway Department Belle Fourche, SD	83-6		Exempt	NA	NA	Transfer liability.
Transfer to:						
Belle Fourche Irrigation District Newell, SD	00-696		Exempt	NA	NA	
Pennnington County Highway Department Rapid City, SD	83-45		Exempt	NA	NA	Transfer liability.
Transfer to:						
Pete Lien & Sons, Inc. Rapid City, SD	00-712		\$9,000	ILOC #S554556	La Salle Bank, Chicago, IL	

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<u>Releases of Liability and Surety:</u>						
John A. Carlson, Inc. Winner, SD	83-1		\$20,000	55-110414	United Fire & Casualty Company	Release liability and \$20,000.
AI & Herb Dabbert Aberdeen, SD	98-658	1010	Lots 1, 2, 3, & 4 & S1/2 N1/2 Section 9; T100N-R73W, Gregory County			
Krueger Excavating Inc. Sioux Falls, SD	84-263		\$1,500	1087010016	Wells Fargo Bank, Aberdeen	Release liability and \$1,500
Bobbie Potts Gettysburg, SD	85-304		\$500	71202	First National Bank, Pierre	Release liability and \$500.
	263001		S. 950' W. 400' Lying North of Tract 1, W1/2 SE1/4 Section 4; T101N-R49W, Minnehaha County			
	304001		E1/2 SE1/4 Section 11; T118N-R74W, Potter County		American Federal Savings & Loan, Gettysburg Potter County	Release liability and \$500.

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Releases of Liability:						
Aggregate Construction, Inc. Minot, ND	89-382		\$20,000	5301306	Ohio Farmers Insurance Company	Release liability.
	382028	E1/2 SW1/4 Section 30; T8N-R7E, Butte County				
Fisher Sand & Gravel Company Dickinson, ND	83-54		\$20,000	190-002-030	Liberty Mutual Insurance Co.	Release liability.
	54003	NW1/4 Section 16; T105N-R69W, Brule County				
	54031	SE1/4 SW1/4 Section 1; T119N-R57W, Clark County				
	54073	NE1/4 Section 1; T93N-R62W, Bon Homme County				
	54076	SE1/4 Section 8 & NE1/4 Section 17; T93N-R60W, Bon Homme County				
Morris Inc. Pierre, SD	83-2		\$20,000	037 S 103597878	Travelers Casualty & Surety Company of America	Release liability.
	2008	SW1/4 Section 9; T112N-R80W, Hughes County				
	2021	SE1/4 Section 22; T103N-R76W, Lyman County				
Robert P. Newth Newell, SD	85-288		\$9,500	55-95458	United Fire & Casualty Company	Release liability.
	288001	SW1/4 Section 10; T8N-R5E, Butte County				

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Releases of Liability:						
Quality Real Estate, Inc. Hot Springs, SD	91-421		\$1,000 \$2,000	1187013185 8734862132	Wells Fargo Bank, Hot Springs Wells Fargo Bank, Hot Springs	Release liability.
	421002	W1/2 NW1/4 NW1/4	Section 33; T6S-R7E,			
	421006	SW1/4 SW1/4, Lying N and E of Lot H-1, Section 5; T9S-R7E, Fall River County				
Brown County Public Works Department Aberdeen, SD	83-154		EXEMPT	NA	NA	Release liability.
	154004	NE1/4 Section 11; T125N-R64W, Brown County				
Hutchinson County Highway Department Olivet, SD	83-133		EXEMPT	NA	NA	Release liability.
	133014	NE1/4 Section 4; T99N-R57W, Hutchinson County				
Jones County Highway Department Murdo, SD	83-205		EXEMPT	NA	NA	Release liability.
	205006	Section 26; T2S-R26E, Jones County				
	205016	Section 7; T2N-R28E, Jones County				

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<u>Releases of Liability:</u>						

Lyman County Highway Department Kennebec, SD	83-215		EXEMPT	NA	NA	Release liability.
			215002	SW1/4 Section 3; T103N-R74W, Lyman County		
			215004	N1/2 Section 19; T106N-R74W, Lyman County		
			215007	NE1/4 Section 16; T103N-R75W, Lyman County		
			215009	NE1/4 Section 6; T107N-R74W, Lyman County		
			215013	W1/2 Section 24; T103N-R76W, Lyman County		

Mellette County Highway Department White River, SD	83-193		EXEMPT	NA	NA	Release liability.
			193011	SW1/4 SW1/4 Section 32; T42N-R28W, Mellette County		
			193029	SE1/4 Section 8 & NE1/4 Section 17; T42N-R25W, Mellette County		
			193030	SW 40 Section 2; T39N-R30W, Todd County		
			193034	NE1/4 Section 24; T43N-R26W, Mellette County		
			193036	SE1/4 Section 4 & NE1/4 Section 9; T42N-R25W, Mellette County		

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<u>Releases of Liability:</u>						

Miner County Highway
Department
Howard, SD

- 177001** SW1/4 Section 16; T108N-R57W, Miner County
177003 SW1/4 Section 23; T107N-R56W, Miner County
177004 NE1/4 Section 36; T106N-R56W, Miner County
177005 SW1/4 Section 6; T105N-R56W, Miner County
177017 NE1/4 Section 29; T105N-R57W, Miner County
177023 N1/2 Section 7; T107N-R55W, Miner County

Potter County Highway
Department
Gettysburg, SD

- 83-147** EXEMPT
147002 SW1/4 Section 12; T118N-R74W, Potter County
147006 SE1/4 Section 22; T117N-R74W, Potter County
147007 SE Corner of the SW1/4 Section 22; T117N-R74W, Potter County

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Releases of Liability:

Walworth County Highway
Department
Selby, SD

Release liability.

NA

EXEMPT

83-7

7001 NW1/4 Section 6; T123N-R78W, Walworth County

7009 NE1/4 Section 3; T124N-R75W, Walworth County

7012 N1/2 NE1/4 Section 4; T124N-R79W, Walworth County

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Tveidt Quarry Sturgis, SD	05-823	\$500	42475	Sundance State Bank, Sundance, WY		Transfer liability and release \$500.
Transfer to:		823001	Section 1; T5N-R4E, Lawrence County			
<u>Transfers of Liability:</u>						
Aggregate Construction, Inc. Minot, ND	89-382	\$20,000	5301306	Ohio Farmers Insurance Company		Transfer liability.
Transfer to:		382003	Section 9; T1S-R7E, Pennington County			
Pete Lien & Sons, Inc. Rapid City, SD	00-712	\$9,000	ILOC #5554556	La Salle Bank, Chicago, IL		
Don Kriech Waubay, SD	97-607	\$20,000	7900600682	Nationwide Mutual Insurance Company		Transfer liability.
Transfer to:		607001	N1/2 NW1/4 Section 26; T122N-R53W, Day County			
Weatherton Contracting Co., Inc. Beresford, SD	88-364	\$20,000	14151847	Continental Casualty Company		

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Myrl & Roy's Paving, Inc. Sioux Falls, SD	83-95		\$20,000	0 40 44 34	Great American Insurance Company	Transfer liability.
Transfer to:		95024	SE1/4 Section 12; T106N-R53W, Lake County			
Albert Yager Madison, SD						
Butte County Highway Department Belle Fourche, SD	92-459		\$20,000	41010002201	Great Western Bank, Madison	
Transfer to:						
Butte County Highway Department Belle Fourche, SD	83-6		Exempt	NA	NA	Transfer liability.
Transfer to:		6008	SW1/4 Section 30; T8N-R7E, Butte County			
Belle Fourche Irrigation District Newell, SD	00-696		Exempt	NA	NA	
Pennington County Highway Department Rapid City, SD	83-45		Exempt	NA	NA	Transfer liability.
Transfer to:		45018	SE1/4 Section 9; T1S-R7E, Pennington County			
Pete Lien & Sons, Inc. Rapid City, SD	00-712		\$9,000	ILOC #S554556	La Salle Bank, Chicago, IL	

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	1010	Lots 1, 2, 3, & 4 & S1/2 N1/2 Section 9; T100N-R73W, Gregory County				
Al & Herb Dabbert Aberdeen, SD	98-658		\$1,500	1087010016	Wells Fargo Bank, Aberdeen	Release liability and \$1,500
	658001	S1/2 NE1/4 Section 11; T125N-R64W, Brown County				
Krueger Excavating Inc. Sioux Falls, SD	84-263		\$500	71202	First National Bank, Pierre	Release liability and \$500.
	263001	S. 950' W. 400' Lying North of Tract 1, W1/2 SE1/4 Section 4; T101N-R49W, Minnehaha County				
Bobbie Potts Gettysburg, SD	85-304		\$500	06-50017080	American Federal Savings & Loan, Gettysburg	Release liability and \$500.
	304001	E1/2 SE1/4 Section 11; T118N-R74W, Potter County				

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<u>Releases of Liability:</u>						
Aggregate Construction, Inc. Minot, ND	89-382		\$20,000	5301306	Ohio Farmers Insurance Company	Release liability.
Fisher Sand & Gravel Company Dickinson, ND	382028	E1/2 SW1/4 Section 30; T8N-R7E, Butte County				
Morris Inc. Pierre, SD	83-2		\$20,000	190-002-030	Liberty Mutual Insurance Co.	Release liability.
Robert P. Newth Newell, SD	288001	SW1/4 Section 10; T8N-R5E, Butte County				

South Dakota Board of Minerals & Environment

July 16, 2008

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
Releases of Liability:						
Quality Real Estate, Inc. Hot Springs, SD	91-421		\$1,000 \$2,000	1187013185 8734862132	Wells Fargo Bank, Hot Springs Wells Fargo Bank, Hot Springs	Release liability.
	421002	W1/2 NW1/4 NW1/4	Section 33; T6S-R7E, Custer County			
	421006	SW1/4 SW1/4, Lying N and E of Lot H-1, Section 5; T9S-R7E, Fall River County				
Brown County Public Works Department Aberdeen, SD	83-154		EXEMPT	NA	NA	Release liability.
	154004	NE1/4 Section 11; T125N-R64W, Brown County				
Hutchinson County Highway Department Olivet, SD	83-133		EXEMPT	NA	NA	Release liability.
	133014	NE1/4 Section 4; T99N-R57W, Hutchinson County				
Jones County Highway Department Murdo, SD	83-205		EXEMPT	NA	NA	Release liability.
	205006	Section 26; T2S-R26E, Jones County				
	205016	Section 7; T2N-R28E, Jones County				

South Dakota Board of Minerals & Environment

July 16, 2008

<u>License/Permit Holder</u>	<u>License/ Permit No.</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
<u>Releases of Liability:</u>						
Lyman County Highway Department Kennebec, SD	83-215		EXEMPT	NA	NA	Release liability.
	215002	SW1/4 Section 3; T103N-R74W, Lyman County				
	215004	NE1/2 Section 19; T106N-R74W, Lyman County				
	215007	NE1/4 Section 16; T103N-R75W, Lyman County				
	215009	NE1/4 Section 6; T107N-R74W, Lyman County				
	215013	W1/2 Section 24; T103N-R76W, Lyman County				
Mellette County Highway Department White River, SD	83-193		EXEMPT	NA	NA	Release liability.
	193011	SW1/4 SW1/4 Section 32; T42N-R28W, Mellette County				
	193029	SE1/4 Section 8 & NE1/4 Section 17; T42N-R25W, Mellette County				
	193030	SW 40 Section 2; T39N-R30W, Todd County				
	193034	NE1/4 Section 24; T43N-R26W, Mellette County				
	193036	SE1/4 Section 4 & NE1/4 Section 9; T42N-R25W, Mellette County				

South Dakota Board of Minerals & Environment

July 16, 2008

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
<u>Releases of Liability:</u>						
Miner County Highway Department Howard, SD		83-177	EXEMPT	NA	NA	Release liability.
	177001	SW1/4 Section 16; T108N-R57W, Miner County				
	177003	SW1/4 Section 23; T107N-R56W, Miner County				
	177004	NE1/4 Section 36; T106N-R56W, Miner County				
	177005	SW1/4 Section 6; T105N-R56W, Miner County				
	177017	NE1/4 Section 29; T105N-R57W, Miner County				
	177023	N1/2 Section 7; T107N-R55W, Miner County				
Potter County Highway Department Gettysburg, SD		83-147	EXEMPT	NA	NA	Release liability.
	147002	SW1/4 Section 12; T118N-R74W, Potter County				
	147006	SE1/4 Section 22; T117N-R74W, Potter County				
	147007	SE Corner of the SW1/4 Section 22; T117N-R74W, Potter County				

South Dakota Board of Minerals & Environment

July 16, 2008

<u>License/Permit Holder</u>	<u>License/ Permit</u>	<u>Site No.</u>	<u>Surety Amt.</u>	<u>Surety No.</u>	<u>Surety Company/Bank</u>	<u>DENR Recommendation</u>
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Releases of Liability:

Walworth County Highway
Department
Selby, SD

Release liability.

NA

EXEMPT

NA

NA

Release liability.

7001 NW1/4 Section 6; T123N-R78W, Walworth County

7009 NE1/4 Section 3; T124N-R75W, Walworth County

7012 N1/2 NE1/4 Section 4; T124N-R79W, Walworth County

ATTENDANCE SHEET

BOARD OF MINERALS AND ENVIRONMENT MEETING

Visitors Center Community Room

1001 East 4th Avenue

Milbank, South Dakota

July 16, 2008

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Richard George1580 Lincoln Street
Suite 850

Luff Exploration Co.

John Morrison

Denver, CO 80203

Luff Exploration Co.

GL (Mack) McGillicuddyP.O. Box 2768
Bismarck, ND 58557
2050 W. Main - Ste #7
Cap-J City, SD 57701
3000 W. 1st St. #300

DENR

Chris Fling

Houston, TX 77042

Tecton Energy, LLC

Chet Johnson

Pierre, SD

DENR

Thomas Cline JR

Pierre SD

DENR - M+M Program - Con-Agg

Curt Johnson

Watertown, SD

Bio-Rock

FRED STOEGER

R.C.

DENR - O&G

Bill Cunningham

South Shore SD

School & Public Lands

Mary Ann

Pierre SD

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

MAX GORDEN BACH
Connie McIlwain

MAILING ADDRESS

1010 S. 7TH STREET
14679 479 Ave

CITY, STATE & ZIP

MILBANK, SD 57252
Milbank, SD 57252

DO YOU WISH
TO OFFER
COMMENTS

Yes

ATTENDANCE SHEET
 BOARD OF MINERALS & ENVIRONMENT MEETING
 July 17, 2008

DO YOU WISH
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 COMMENTS

MAILING ADDRESS

NAME (PLEASE PRINT)

<u>CITY, STATE & ZIP</u>	<u>DO YOU WISH TO OFFER COMMENTS</u>
Other Tail Power Company 215 S. Associated Box 512	Fergus Falls, MN 56537 Kotter Yes
Other Tail Power Co. 901 4th Av SW Minn. Utal	Fergus Falls, MN 56537 WATERWURS SO 57201 YES
420 North St	Montevideo MN 56265 YES
310 E. 10th Ave	Milbank SD BSC, SD YES
Box 236	11th St/K SC 57202 K
608 5th Main	Pembell 11157259 Montevideo MN 56265 ORTAVILLE MN 56278 YES
418444 165 St	115 S. 4th St Bair Johnson
233 NW 2nd St	

ATTENDANCE SHEET
 BOARD OF MINERALS & ENVIRONMENT MEETING
 July 17, 2008

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 COMMENTS

<u>MARK ROLFEZ</u>	<u>105 Hegg CRT</u>	<u>BIG STONE CITY, SD 57214</u>	<u>No</u>
<u>Bill Swanson</u>	<u>47954 Evers Road</u>	<u>Corona, SD 57327</u>	<u>No</u>
<u>JEFF ENDRIZZI</u>	<u>1117 VISTA DRIVE</u>	<u>MURK, SD 57252</u>	<u>No</u>
<u>Mark Case</u>	<u>215 South Cascade</u>	<u>Tigard Falls Rd</u>	<u>No</u>
<u>Penny Shambli</u>	<u>951 E. Big. I St</u>	<u>Richard VA 23215</u>	<u>No</u>
<u>Tom Weick</u>	<u>P.O. Box 5015 SFSD 57107</u>	<u>Stockton</u>	<u>No</u>
<u>Pete Johnson</u>	<u>951 E Byrd St. Richmond VA 23219</u>		<u>No</u>
<u>TON PREUZ</u>	<u>11643 Hwy 78</u>	<u>Asbury MN 56309</u>	<u>No</u>
<u>Scott Swo</u>	<u>AOS Office</u>	<u>Point</u>	<u>No</u>
<u>Kevin Fink</u>	<u>951 E. Brule St</u>	<u>Rutherford Va</u>	<u>No</u>
<u>Aaron Emerson</u>			
<u>Sharon Thompson</u>	<u>111 W. Vega Ave</u>	<u>Fergus Falls</u>	<u>No</u>
<u>Robert Johnson</u>	<u>310 E 10th Ave</u>	<u>Minneapolis</u>	<u>No</u>
<u>Gerald Miller</u>	<u>701 S 2nd St</u>	<u>Milbank</u>	<u>Yes</u>
<u>Richard Meyer</u>	<u>420 N 9th St.</u>	<u>Montevideo</u>	<u>Yes</u>

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

DO YOU WISH
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COMMENTS

MAILING ADDRESS

CITY, STATE & ZIP

<u>NAME PLEASE PRINT</u>	<u>MAILED ADDRESS</u>	<u>CITY, STATE & ZIP</u>	<u>DO YOU WISH TO OFFER COMMENTS</u>
Chris Madsen	101 N Phillips Ave	S. Ellis SD 57053	N
Bob Schulte	15347 Boulder Pointe Road	Euler Prairie, Missouri 65534	N
Kathy Ober	400 N 4th St	Fargo Falls	N
Spangler		Bismarck ND	N
Sue Wilka		Wabster SD	N
Mike Ostlie	924 N. Catalina Ave	Tucson AZ	N
Dan Sharp	3024 Hackberry St	Bismarck ND	N
EFFNATACKE-LEES	Milbank SD	Milbank, SD	N
John Van Rith	Milbank SD	Milbank SD	N yes
Dandy Christensen	14972 4th Ave	Big Stone City SD	N
Alfford	1648 Steele St. Ft. Pierre		
Karen Jensen	1392 472nd Ave	Wilmot, SD	N
Jim Shultz	13688 463rd Ave	Wilmot SD	N
Brad Tabor	1104 Wash Rd	Wilmot	N
Hari Hanke	309 Custer Ave	Wilmot	N

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

DO YOU WISH
TO OFFER
COMMENTS

NAME (PLEASE PRINT)

MAILING ADDRESS

CITY, STATE & ZIP

Mary Jo Stueve

518 St Joseph Ave
5501 Whiskey St

GRACEVILLE MN
Sioux Falls SD

Yes

Dorthy Tyle

46170 144^{1/2} St

Big Stone City SD 57244

Yes

Bob Shirk

B 451 Tioga

Big Stone

Yes

Doug Sunne

224 E. 4th Ave

M. I. bank

No

Terry O'Keefe

Box 10
704 S. 6th St.

Watertown

No

Chewa Biersbach

1210 Park Dr.

Milbank

No

Thomas Koijer

1424 479^{1/2} Ave.

Milbank

No

Orlene Fosden

226 N 2nd St

Milbank

No

Steve Nelson

120 3rd Ave. S

Brookings SD 57006

Yes

Diane Minneman

PoBox 154

Gordonville MN 56278

No

John Lutz

320 S. 1st St., Suite 101

Aberdeen, SD

Yes

Mark Van Lith

204 East Main

M. I. bank SD

No

ATTENDANCE SHEET
 BOARD OF MINERALS & ENVIRONMENT MEETING
 July 17, 2008

NAME (PLEASE PRINT)

MAILING ADDRESS

CITY, STATE & ZIP

DO YOU WISH
 TO OFFER
COMMENTS

Floyd Bohn

605 S. 2nd St., #10

Wheatbank, SD

No

Mary Schiene

1274 S. 36th St.

Groton Groves, ND

No

Dylan Lincs

1050 100th Ave Nw

Watson Mtns

No

Virginia Hess

1001 E. 4th Ave

Milbank, SD

Yes

Katlie Laughlin

Po Box 154

Ortonville, MN 56278

ND

Jeanne Kretschum

30525 County Hwy 33,

1013 S 7th St

Yes

yes

Scott Hoeke

5 Grand Bend Rd.

Milbank, SD 57252

Yes

yes

Ben Riles

105 347912 Rocky Ledge

Coronado, SD

No

Chuck McLeggan

1477 3-476 Ave

Milbank, SD

No

Milt Stenzel

Coronado, SD

No

c.

10-3

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

Mark Leddy
Roger Bird
Dennis Webster

MAILING ADDRESS

14344 87th St
224 Country Club Lane
410 W. 5th Ave

CITY, STATE & ZIP

Minneapolis
MN 55403

DO YOU WISH
TO OFFER
COMMENTS

Yes
Yes
No

b-2

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

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CITY, STATE & ZIP

DO YOU WISH
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COMMENTS

Roger McCallister
Jerry Bettles
Curtis A. Hallberg
Jason Kettwig
Mike Rausch
Elsie Perrie

49025 145th St.
47725 19th St.
502 E. 5th Ave.
1109 Washington Dr.
48543 142nd St.
521 Stephens Ave

Big Stone
Milford
Milbank
Milbank
Big Stone City
Ontonagon 56278

No
No
No
No
Yes
No

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)
Val Rausch
Dirt4Reptile
Paul Damman

MAILING ADDRESS

Po Box 176
45745 199 St

CITY, STATE & ZIP

Big Stone City SD 57216
Summit, S.D. 57266

DO YOU WISH
TO OFFER
COMMENTS

yes.
yes

2-2

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

Ralph S. Stinson

Jerry Eastman

Dustin Opol
Steve Tufson Jr

MAILING ADDRESS

605 S. 3rd St.

P.O. Box 569 Agency Village SD 57262

P.O. Box 569 Agency Village SD 57262 -7

P.O. Box 569 Agency Village SD 57262 Yes

CITY, STATE & ZIP

Milbank, SD 57252

P.O. Box 569 Agency Village SD 57262

P.O. Box 569 Agency Village SD 57262 -7

P.O. Box 569 Agency Village SD 57262 Yes

DO YOU WISH
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No

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

Jim Peterson

MAILING ADDRESS

16152 482 Ave

CITY, STATE & ZIP

Rexico, S.C.

Rexico

DO YOU WISH
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Yes

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

MAILING ADDRESS

CITY, STATE & ZIP

DO YOU WISH
TO OFFER
COMMENTS

William Dressinger Son Millbank S.D. 50% So. Violent No

Walter Dressinger Melborth S.D.
Grant Co. Comm. Milbank SD
Milbank City Council Mr. Bank SD

George Jackson
Dawin

ATTENDANCE SHEET
BOARD OF MINERALS & ENVIRONMENT MEETING
July 17, 2008

NAME (PLEASE PRINT)

Sarah Hendrix

MAILING ADDRESS

402 Lake Dr.

CITY, STATE & ZIP

Big Stone City

DO YOU WISH
TO OFFER
COMMENTS

Yes